



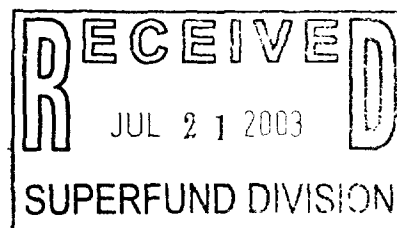
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



200093



REPLY TO THE ATTENTION OF

R-19J

JUL 16 2003

Mike Zimmerman, Acting Chairman
Pokagon Band of Potawatomi
P.O. Box 180
Dowagiac, Michigan 49047

Re: Identification of Areas at the Allied Paper/Portage Creek/Kalamazoo River Superfund Site of Cultural or Traditional Significance to the Pokagon Band of Potawatomi

Dear Mr. Zimmerman:

The United States Environmental Protection Agency ("U.S. EPA" or the "Agency") is in the process of evaluating what response actions are necessary to ensure the protection of human health and the environment at various areas of the Allied Paper/Portage Creek/Kalamazoo River Superfund Site (the "Site"). The Site includes six paper mill properties, five paper waste disposal areas, approximately 80 miles of the Kalamazoo River, and the floodplain and wetlands adjacent to these miles of the Kalamazoo River. With this letter I hope to update you generally on the status of cleanup work at the Site. I also hope to enlist your assistance with regard to an important legal requirement that must be satisfied before cleanup work can begin.

As you may already know, U.S. EPA announced its cleanup approach for the Kalamazoo River in August 2002. In accordance with important new federal guidelines for contaminated sediment sites, the Agency proposed to first eliminate ongoing sources of polychlorinated biphenyl ("PCB") contamination, and then address in-stream sediments. Cleanup will begin upstream and proceed downstream on a reach-by-reach or dam-to-dam basis. The Agency further announced that it would first address the Phase I portion of the River (Morrow Pond Dam to Lake Allegan), followed by Phase II (Lake Allegan to Lake Michigan).

This summer, U.S. EPA intends to issue a proposed cleanup plan for the two most upstream ongoing sources of PCBs to the river, *i.e.* the Plainwell and Otsego City impoundments. These impoundments, located within the Kalamazoo River floodplain, were created when the Plainwell and Otsego City dams were lowered down to their sills. Contaminated paper wastes and sediments that previously had been underwater became bioavailable to terrestrial organisms.

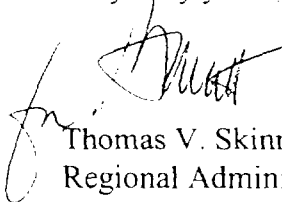
Additionally, sometime this fall the Agency will issue a cleanup plan for one of the paper waste disposal areas of the Site, *i.e.* the Willow Blvd./A-Site landfill. All of the landfills at the Site contain PCB-contaminated waste residuals resulting from dewatering operations associated with the recycling of carbonless copy paper. Collectively, the impoundments and landfills at the Site contain over 1 million cubic yards of PCB-contaminated residuals, paper wastes, sediments, and soils. The geographic locations of the three areas of contamination the Agency intends to address this summer and fall are shown on the attached Figures 1 and 2.

As part of the cleanup decisionmaking process at any Superfund site, U.S. EPA must identify all applicable or relevant and appropriate requirements of federal or state environmental law ("ARARs") that must be satisfied as part of the remedial action. The National Historic Preservation Act of 1996 and Native American Graves Protection and Repatriation Act of 1990 are ARARs for the cleanup decisions the Agency will make at this Site. Among other things, these statutes require the Agency to evaluate whether any property potentially subject to cleanup activity is of cultural or traditional significance to Native American tribes.

Accordingly, U.S. EPA is requesting your assistance in identifying property within the areas shown on the enclosed figures that may be of cultural or traditional religious significance to the Pokagon Band of Potawatomi Indians. The Agency will use this information to complete an "effects assessment." By means of this assessment, U.S. EPA will determine whether any of the property you identify may experience an adverse effect from remedial work being considered. Please be aware that the Agency has not yet made a decision on what remedial work will occur at the landfill or impoundments. As noted above, we expect to announce the preferred cleanup plans for these areas sometime this summer or fall, and will give the public ample opportunity to comment on these plans before they are made final.

Please respond to this letter as soon as possible, but no later than August 18, 2003. If you have any questions or would like assistance in responding to this request, please do not hesitate to contact Ms. Shari Kolak, U.S. EPA's Remedial Project Manager for the Site, at (312) 886-6151 or e-mail at kolak.shari@epa.gov.

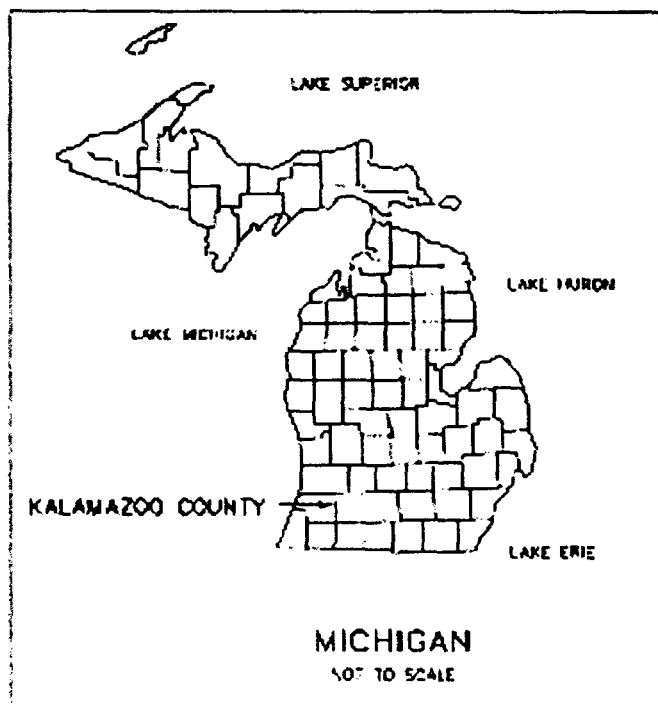
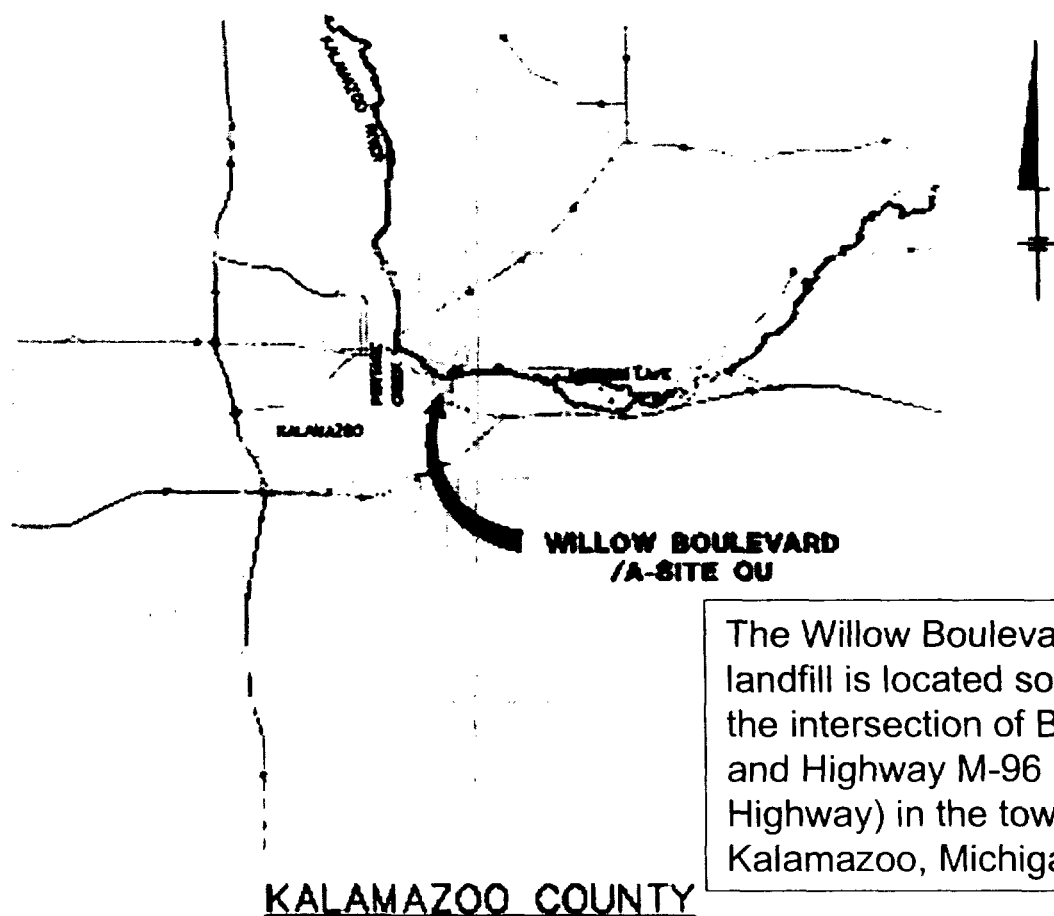
Very truly yours,



Thomas V. Skinner
Regional Administrator

Attachment

cc: Mark H. Parrish
Mark Brown, KRSG
William Dew, AIO
Paul Buchlotz, MDEQ
Martha MacFarlane Faes
Brian Conway



0 5 MILES 10 MILES

SCALE

LOCATION PLAN

Figure 2

